

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**MICHAEL MCGEE**

**PETITIONER**

**v.**

**No. 2:07CV198-P-A**

**STATE OF MISSISSIPPI, ET AL.**

**RESPONDENTS**

**ORDER DENYING PETITIONER'S MOTION  
TO BE RELEASED ON BOND PENDING THE  
OUTCOME OF THE INSTANT PETITION  
FOR A WRIT OF *HABEAS CORPUS***

This matter comes before the court on the motion of *pro se* petitioner Michael McGee to be released on bond pending the outcome of the instant petition for a writ of *habeas corpus* under 28 U.S.C. § 2254, challenging his state conviction for conspiracy to sell marijuana and sale of marijuana. As the release of the petitioner on bond would have substantially the same effect as a grant of *habeas corpus* relief, the court declines to grant such a request without first considering the merits of the instant petition for a writ of *habeas corpus*. As such, the instant motion for the petitioner to be release on bond is hereby **DENIED**.

**SO ORDERED**, this the 10<sup>th</sup> day of December, 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE